

CHAPTER 12. JURY RULES

12.1 Request for Jury Trial in Equity Cases, Etc.

A party desiring a jury trial where the right thereto is not guaranteed by law will be deemed to have waived a jury trial unless the party has complied with California Rules of Court, rule 377.

Eff. Jan. 1, 1999.

12.2 Verdict Forms and Interrogatories

A party requesting a jury trial shall submit to the trial judge at the times required by these rules and in no event later than 9:30 a.m. on the first morning of trial every form of special and general verdict and every form of interrogatory which may be required for disposition of the case.

Eff. Jan. 1, 1999.

12.3 Request for Jury Instructions

Requested jury instructions shall be delivered to the trial judge at the times provided herein, or at such other times as may be ordered by the court and in no event later than the first morning of trial. Additional supplementary instructions may be received by the trial judge at such time and on such conditions as may be just.

The request for jury instructions shall have a face sheet with the court cause and action number which will also contain a list of BAJI (California Jury Instruction - Civil) and CALJIC (California Jury Instructions - Criminal) instructions requested. Such lists shall have two columns: (1) the BAJI or CALJIC number; and, (2) the title of the instruction.

Attached to said cover sheet shall be copies of all BAJI and CALJIC instructions requested with all blanks filled in and all surplusage blocked out. All other instructions requested by a party shall be described in the cover sheet and attached thereto. All such instructions shall be in a form that may be appropriately delivered to the jury for their reference in the jury room (The instructions shall not be denominated "Plaintiff's Instruction" or "Defendant's Instruction.")

Eff. Jan. 1, 1999.

12.4 Attorney Testifying May Not Argue the Case

An attorney testifying on the merits of the case as a witness on behalf of his client shall not argue the case to the jury unless by permission of the court.

Eff. Jan. 1, 1999.

12.5 Deposit and Refund of Jury Fees

A deposit of jury fees in the amount required by statute shall be made by the party requesting a trial by jury as provided in section 631 of the Code of Civil Procedure. In the event that a jury is not required for the trial of any case for which a deposit of jury fees has been made, the deposit will be appropriated by the clerk to the extent of the costs involved in summoning the venire and compensating members of the venire for their attendance and the remainder of the deposit will be refunded to the depositor unless the venire is used for some other case in which event the entire deposit will be refunded to the depositor.

Eff. Jan. 1, 1999.